

(Working notes)

**TOWN OF ROCKY HILL  
ZONING BOARD OF APPEALS  
MEETING OF SEPTEMBER 16, 2014**

**1. CALL TO ORDER**

Chairman Reilly called the Tuesday, September 16, 2014 meeting to order at 7:01 p.m. in the Town Council Room of the Rocky Hill Town Hall, 761 Old Main Street, Rocky Hill, Connecticut.

**Present:** James Reilly, Chairman  
Joe Coelho, Vice Chairman  
Phil Benoit, Secretary  
Chris Incarvito

**Alternates:** William Tangney

**Also:** Frank Kelley, Zoning Enforcement Officer  
Kimberley A. Ricci, Dir. Planning & Building/Asst. ZEO  
Eileen A. Knapp, Recording Secretary

Chairman Reilly went over the procedures for the public hearings and noted that any decision of the Board can be appealed within 15 days of the decision. Secretary Benoit read the legal notice.

Commissioner Tangney voted in the absence of another regular member.

**2. PUBLIC HEARING**

**A. Appeal 2014-13, Gaetano Rocamora and Joanne Rocamora appealing, under Section 8.7.3.B.2 of the Rocky Hill Zoning Regulations, a decision of Assistant Zoning Enforcement Officer, Kimberley A. Ricci from correspondence dated July 29, 2014, in which the property at 155 Dividend Road, Tax ID # 14-359, was described as a two family home; Applicant is appealing that the property cannot be rebuilt as three(3) apartments which existed prior to the fire on site on April 11, 2014. Property is located in a BP-Business Park Zoning District;**

**Attorney Dan Silver of Silver & Silver, 1 Liberty Square** addressed the Commission representing the applicant. He said he was just notified that the applicant does not have his proof of mailing, although it was sent out. He said the only evidence of the mailing they have is one of the envelopes they received back due to a change of address, but they cannot find the actual proof of mailing from the post office. He apologized to the Commission for not making them

aware of this issue sooner, but he just found out about it himself. He asked if there was any way they could continue with the matter this evening.

Mr. Kelley said according to the rules for proceeding with a public hearing Regulations Section 8.7.3 d. 2c., “at the time of the public hearing the Applicant or his/her legal representative shall submit evidence of the required mailing *in the form of the U.S. Postal Service Certificate of Mailing*”.

After a brief discussion, the Commission decided that they could not deviate from the requirements of the Regulations by going forward with the public hearing.

**A MOTION was made by Vice Chairman Coelho to table Appeal 2014-13, Gaetano Rocamora and Joanne Rocamora appealing, under Section 8.7.3.B.2 of the Rocky Hill Zoning Regulations, a decision of Assistant Zoning Enforcement Officer, Kimberley A. Ricci from correspondence dated July 29, 2014, in which the property at 155 Dividend Road, Tax ID # 14-359, was described as a two family home; Applicant is appealing that the property cannot be rebuilt as three(3) apartments which existed prior to the fire on site on April 11, 2014. Property is located in a BP-Business Park Zoning District. Seconded by Chairman Reilly. All were in favor, MOTION CARRIED UNANIMOUSLY.**

### **3. NEW BUSINESS**

#### **A. Appeal 2014-13, Gaetano Rocamora and Joanne Rocamora, 155 Dividend Road, ID # 14-359;**

This item was tabled.

### **4. OLD BUSINESS**

No discussion.

### **5. ANY OTHER BUSINESS**

Mrs. Ricci announced the a Plan of Conservation and Development Public Workshop is being held on September 23, 2014 at Griswold Middle School from 7:00-9:00 p.m. She encouraged everyone to attend.

Vice Chairman Coelho asked if Mrs. Ricci discussed a joint meeting with the Planning and Zoning Commission and Zoning Board of Appeals. Mrs. Ricci said she did mention it several times at public meetings and she has not heard back. She did say that the Planning and Zoning Commission has decided to discuss the issue of new sign regulations after the POCD update is done.

### **6. APPROVE WORKING NOTES / MINUTES – August 19, 2014**

**A MOTION was made by Vice Chairman Coelho to approve the minutes and working notes from August 19, 2014. Seconded by Commissioner Benoit. 4 were in favor (Benoit, Reilly, Coelho, and Tangney) 1 abstention (Incarvito), MOTION CARRIED.**

**7. ADJOURN**

**A MOTION was made by Vice Chairman Coelho to adjourn the meeting. Seconded by Commissioner Incarvito. All were in favor, MOTION CARRIED UNANIMOUSLY.**

Meeting adjourned at 7:13 p.m.

Respectfully submitted,

Eileen A. Knapp  
Recording Secretary